

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

MARSHALL ALAN VAN DYKE,  
#1085853

v.

DOUG DRETKE, DIRECTOR  
OF TDCJ-CID

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CIVIL ACTION NO. G-03-261  
(Consolidated with G-03-262 and  
G-03-263)

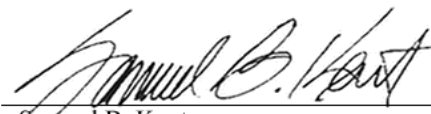
**ORDER**

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on October 12, 2005. The Report was mailed to Petitioner' s last address in the TDCJ but was returned as "undeliverable" after Petitioner had been paroled and left no forwarding address. Petitioner has not complied with the Court' s Show Cause Order, which ordered him to notify the Clerk immediately of any change of address and warned that the failure to do so could result in the dismissal of his Petition.

Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court is of the opinion that the Report and Recommendation should be **ACCEPTED**.

Accordingly, it is **ORDERED** that the Petition for Writ of Habeas Corpus of Marshall Alan Van Dyke is **DISMISSED**.

**DONE** at Galveston, Texas this 4<sup>th</sup> day of November, 2005.

  
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Samuel B. Kent  
United States District Judge